

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEON CARTER, an individual, on behalf of himself and all others similarly situated,

Plaintiff,

v.

C&S WHOLESALE GROCERS INC., a Vermont Corporation; TRACY LOGISTICS LLC DBA STOCKTON LOGISTICS LLC, a Delaware Limited Liability Company; C&S LOGISTICS OF SACRAMENTO/TRACY LLC DBA SACRAMENTO LOGISTICS, a Delaware Limited Liability Company; and DOES 1 TO 50,

Defendants.

CASE NO. 2:22-cv-02165-KJM-AC

ORDER GRANTING STIPULATION TO EXTEND TIME FOR DEFENDANTS TO RESPOND TO COMPLAINT TO PERMIT PLAINTIFF TIME TO FILE FIRST AMENDED COMPLAINT

Removal Date: Dec. 5, 2022
Current Response Date: Jan. 9, 2022
New Response Date: Jan. 23, 2023
Trial Date: None

ORDER

Having reviewed and considered the parties' Stipulation to Extend Time for Defendants to Respond to Complaint to Permit Plaintiff Time to File First Amended Complaint [Dkt. #8] (the "Stipulation"), and good cause appearing for the relief requested therein, the Stipulation shall be and hereby is **GRANTED** as follows, using the same defined terms as used in the Stipulation:

1. Defendants' time within which to serve and file any motions, pleadings, or other filings responsive to Plaintiff's Complaint shall be and hereby is extended up to and including January 23, 2023;

2. Defendants shall have 21 days after service of Plaintiff's FAC to serve and file any motions, pleadings, or other filings responsive to Plaintiff's FAC;

3. In the event that Plaintiff does not file his FAC by January 23, 2023, Defendants shall serve and file any motions, pleadings, or other filings responsive to Plaintiff's Complaint within 21 days therefrom, *i.e.*, by February 13, 2023; and

4. By entering into this Stipulation, the Parties do not waive and expressly reserve all claims, defenses, and challenges in this action, including, without limitation, as to lack of personal jurisdiction and/or arbitration of Plaintiff's and/or any putative class member's individual claims and to Plaintiff's Complaint, FAC, and any subsequent amended pleading and/or the claims asserted therein.

IT IS SO ORDERED.

DATED: January 11, 2023.

CHIEF UNITED STATES DISTRICT JUDGE